



City of Boston
Mayor Martin J. Walsh
Licensing Board

Commissioners:
Kathleen M. Joyce, Chairman
Keeana S. Saxon
Liam P. Curran
Executive Secretary:
Lesley Delaney Hawkins

THE LICENSING BOARD FOR THE CITY OF BOSTON'S ADVISORY REGARDING CHANGES TO RESTAURANT CAPACITY RESTRICTIONS

Issued: March 1, 2021

On February 24, 2021, Governor Charles Baker [announced](#) that as of today, March 1, 2021, the capacity limit of forty percent (40%) of seating capacity excluding staff in restaurants no longer applies. Governor Baker also announced a timeline for entering the next phase of reopening. The Licensing Board for the City of Boston (the "Board") issues this advisory regarding the implementation of the updates to the safety standards in the City of Boston. This Advisory should be adhered to in conjunction with all previous [advisories](#) issued by the Board and all other applicable guidance.

1. Licensees must read the updated [safety standards](#) in their entirety and in conjunction with all other applicable guidance as the Advisory is meant to supplement the same and is not exhaustive.
2. A specific capacity percentage no longer applies to restaurants, including those holding a common victualler food only license and those holding an alcoholic beverages license. The sector specific prohibition of indoor gatherings of more than ten (10) individuals does not apply to restaurants. **Restaurants must adhere to the previously applicable social distancing and operational guidelines including:**
 - a. Maximum party size of six (6) individuals;
 - b. Minimum of six (6) feet between tables and six (6) feet between tables and high traffic areas;
 - c. Tables may be positioned closer if separated by a non-porous barrier at least six (6) feet in height such as plexi-glass dividers;
 - d. Bar seating may be utilized only if patrons are seated at least six (6) feet from the active bar service area which is defined as the area in which drinks are prepared and where the bartender would be stationed when not serving patrons or a non-porous divider separates the patrons from the active bar service area;
 - e. No patrons may be standing at the bar;
 - f. No patron may remain at the licensed premise for more than ninety (90) minutes;
 - g. Patrons must wear masks unless actively eating or drinking;
 - h. Licensees are not permitted to allow lines to form outside the licensed premise and patrons are not permitted to congregate in the common areas of the licensed premise; and
 - i. Reservations are strongly encouraged.
3. **At this time no live entertainment is allowed in Boston including singing, instrumental/vocal music, disc jockey (even if only providing background music), dancing, and trivia (even if contactless).** Only approved televisions and background music are permitted in Boston at this time. This is an important distinction from the

statewide guidance.

4. Restaurants hosting special events may do so for no more than ten (10) patrons and the restaurant must be entirely closed to the general public during the event.
5. Pending incoming public health metrics, the City of Boston **may** enter Phase IV of reopening on March 22, 2021 which would allow live entertainment and performance venues to open with certain safety precautions. A separate advisory will be forthcoming regarding live entertainment in Boston.
6. Public safety is of the utmost importance to the Board and the City of Boston and licensees are strongly encouraged to focus on take-out and to-go orders as these limit the amount of time a patron is in the licensed premise.

The Advisory is issued in response to the ongoing public health crisis related to the spread of COVID-19 and will be strictly enforced by the Board and the Boston Police Department. Failure to adhere to any of the above, previously issued orders or advisories currently in effect, the Rules and Regulations of the Board and the Alcoholic Beverages Control Commission, and the laws of the Commonwealth of Massachusetts regarding the sale and service of alcohol will result in disciplinary action from the Board including, but not limited to, the immediate suspension of any license issued by the Board.

Claims of ignorance of the law, the Legislation, or the Advisory are not a defense.

Please refer to [boston.gov/coronavirus](https://www.boston.gov/coronavirus) for more information on COVID-19. Any questions should be directed to the Board's Executive Secretary, Lesley Delaney Hawkins, Esq., who can be reached at (617) 635-4170 or Lesley.hawkins@boston.gov.

For the Board,

Lesley Delaney Hawkins

Lesley Delaney Hawkins, Esq.
Executive Secretary